

# MEMO

**DATE:** October 10, 2005

**TO:** The Transportation and Communications Committee (TCC)

**FROM:** Charlotte Pienkos, Government Affairs Analyst  
Phone: (213) 236-1811 E-Mail: [pienkos@scag.ca.gov](mailto:pienkos@scag.ca.gov)

**SUBJECT:** State Legislature End of Session Update

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## SUMMARY:

The State Legislature adjourned on September 9<sup>th</sup> and will not reconvene until Wednesday, January 4, 2005. SCAG and other transportation stakeholders made concerted efforts throughout the 2005 session to influence the enactment of new laws or the amendment of existing laws in the area of transportation. While some reforms did not advance due to a lack of consensus or time, others made progress, leaving many observers and participants with a positive outlook for next year's carryover session. Among the year's successes were a legislative fix for the Bay Bridge cost overrun and the full funding of Proposition 42. Left for next year is further discussion of GoCalifornia, the Governor's transportation package, a transportation bond measure, and container fees.

## BACKGROUND:

### Bay Bridge

AB 144 (Hancock) was enacted on July 18<sup>th</sup> to fund the Bay Area Bridges costs overrun. AB 144 set the state's contribution toward funding the overrun at \$630 million, including 1) \$300 million to fund the cost of demolishing the eastern span of the San Francisco-Oakland Bay Bridge from the State Highway Operations and Protection Program (SHOPP), project savings, and the federal Highway Bridge Replacement and Rehabilitation Program (FHBRP) and 2) \$330 million derived from \$130 million in Caltrans efficiencies, \$125 million in "spillover" state gasoline sales tax revenues, and \$75 million from the Motor Vehicle Account. Other revenues to close the cost overrun gap will be raised with tolls and refinancing savings.

While the state's contribution of \$630 million is a sizeable sum of money, this figure is substantially more favorable to Southern California than previous potential liabilities proposed under other funding scenarios. SCAG's regional transportation planning partners are still evaluating the effect of this cost-sharing on their short- and long-range plans.

### Proposition 42

The Legislature passed and the Governor signed an FY05-06 State Budget that fully funded Proposition 42 to the amount of \$1.3 billion. Pursuant to existing law, the \$1.3 billion will be allocated as follows:

- \$678 million to the Traffic Congestion Relief Fund for Traffic Congestion Relief Projects (TCRP)

- \$254 million to the Transportation Investment Fund for State Transportation Improvement Program (STIP) projects
- \$254 million to cities and counties for local streets and roads (\$127 million to cities, \$127 million to counties)
- \$127 million to the Public Transportation Account, with half (\$63.5 million) of those funds available for STIP projects and half (\$63.5 million) for the State Transit Assistance (STA) Program

The full funding of Proposition 42 was a major legislative success for all California transportation stakeholders; more work remains to be done, however, to amend the State Constitution to prohibit future suspensions of transfers from the General Fund to transportation projects and programs in times of financial crisis. This amendment, called a firewall, appears to be the transportation community's first priority for the 2006 session.

#### GoCalifornia and Transportation Bond Measures

The Governor advocated on behalf of GoCalifornia, his transportation package, until the last days of the 2005 legislative calendar when it became apparent that Senate President Pro Tempore Don Perata (D-Oakland) was unwilling to de-couple consideration of his \$7 billion transportation bond measure (SB 1024) from consideration of GoCalifornia. Business, Transportation and Housing Department Secretary Sunne McPeak explained in late session meetings that the Governor insisted on separating GoCalifornia from any bond measure, preferring to effect administrative cost-savings first before taking a bond measure to the voters. Both sides have said that transportation will be a priority in 2006.

In the last days of session, SCAG was asked by Secretary McPeak to provide technical support for an amendment to AB 850 (Canciamilla), the public/private partnership (PPP) bill in GoCalifornia. SCAG submitted its suggestions to BT&H as requested after circulating it to the commissions and AAA. Although the recommendations were not amended into AB 850, given the impasse between the Governor and Senator Perata, the Administration may build on those ideas during the interim as a basis for 2006 negotiations.

#### Container Fees

SCAG carefully monitored the progress of SB 760 (Lowenthal) in 2005. The bill, which imposed a \$30 container fee on every twenty-foot equivalent unit passing through the Ports of Long Beach and Los Angeles, advanced quickly through the Senate and eventually stalled in the Assembly Appropriations Committee when Senator Lowenthal, reacting to resistance from shippers and some commercial interests, converted SB 760 into a two-year bill.

Consequently, the senator will resume work on the bill in January. Following adoption of the findings of the report, SCAG may be able to assist Senator Lowenthal in his drafting of amendments by sharing with him the results of the Port and Modal Elasticity Study presented to the TCC today.

**Private file: Transit**


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CA AB 948      **AUTHOR:** Oropeza (D)  
**TITLE:** Design-Build and Transit Operators  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/18/2005  
**LAST AMEND:** 04/13/2005  
**DISPOSITION:** Pending  
**LOCATION:** Senate Inactive File  
**SUMMARY:**  
 Specifies that a transit operator is required to establish a labor compliance program only for a design-build contract and only if the transit operator does not already have a labor compliance program. Changes the prohibition regarding design-build rail projects to instead prohibit a transit operator from utilizing the design-build method of procurement for a capital maintenance or capacity-enhancing rail project, unless that project costs more than specified amount.  
**STATUS:**  
 07/11/2005      In SENATE. To Inactive File.  
**Subject:** Transit, Transport

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CA AB 1649      **AUTHOR:** Liu (D)  
**TITLE:** Metro Foothills Gold Line Construction Authority  
**INTRODUCED:** 02/22/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:**  
 Changes the name of the Pasadena Metro Blue Line Construction Authority to the Metro Foothills Gold Line Construction Authority and revises the composition of its governing board's membership. Specifies a schedule for construction of the light rail project and requires the Los Angeles County Metropolitan Transportation Authority to submit a financial plan to the Legislature for this construction.  
**STATUS:**  
 03/17/2005      To ASSEMBLY Committee on TRANSPORTATION.  
**Subject:** Transit

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**Private file: Transportation**


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CA AB 144      **AUTHOR:** Hancock (D)  
**TITLE:** Bay Area State-Owned Toll Bridges: Financing  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** yes  
**INTRODUCED:** 01/13/2005  
**ENACTED:** 07/18/2005  
**DISPOSITION:** Enacted  
**LOCATION:** Chaptered  
**CHAPTER:** 71  
**SUMMARY:**  
 Appropriates an specified amount of funds from the Motor Vehicle Account and other specified funds to fund the seismic retrofit and replacement of the state-owned toll bridges. Authorizes the Bay Area Toll Authority to increase tolls on bay area state-owned toll bridges for this purpose and to refinance bridge toll bonds. Requires the existing seismic surcharge to be deposited into the Bay Area Toll Account. Requires the Department of Transportation and the authority to amend their cooperative agreement.  
**STATUS:**  
 07/18/2005      Signed by GOVERNOR.  
 07/18/2005      Chaptered by Secretary of State. Chapter No. 71  
**Subject:** Transport

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CA AB 189      **AUTHOR:** Horton S (R)  
**TITLE:** Highway Capacity Enhancement Demonstration Projects  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 01/26/2005  
**LAST AMEND:** 04/11/2005  
**DISPOSITION:** Pending

	<b>LOCATION:</b>	Assembly Appropriations Committee
	<b>SUMMARY:</b>	Establishes a coordinated environmental review process for 3 highway capacity enhancement demonstration projects. Requires the projects to be identified by the Department of Transportation and requires that a consolidated environmental permit be issued for each project. Requires the project sponsor to seek and invite participation by applicable agencies.
	<b>STATUS:</b>	
	05/25/2005	In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.
	<b>Subject:</b>	Revenue/Bond, Transport
CA AB 245	<b>AUTHOR:</b>	Walters (R)
	<b>TITLE:</b>	County Design-Build Contracts
	<b>FISCAL COMMITTEE:</b>	yes
	<b>URGENCY CLAUSE:</b>	no
	<b>INTRODUCED:</b>	02/07/2005
	<b>LAST AMEND:</b>	06/08/2005
	<b>DISPOSITION:</b>	Pending
	<b>LOCATION:</b>	Senate Local Government Committee
	<b>SUMMARY:</b>	Authorizes Orange County, until December 1, 2011, to enter into specified design-build contracts.
	<b>STATUS:</b>	
	06/15/2005	In SENATE Committee on LOCAL GOVERNMENT: Not heard.
	<b>Subject:</b>	LocGov, Transport
CA AB 267	<b>AUTHOR:</b>	Daucher (R)
	<b>TITLE:</b>	Transportation Projects
	<b>FISCAL COMMITTEE:</b>	yes
	<b>URGENCY CLAUSE:</b>	no
	<b>INTRODUCED:</b>	02/08/2005
	<b>LAST AMEND:</b>	08/15/2005
	<b>DISPOSITION:</b>	Pending
	<b>LOCATION:</b>	Senate Appropriations Committee
	<b>SUMMARY:</b>	Amends existing law which authorizes a regional or local entity that is the sponsor of, or is eligible to receive funding for, a project contained in the state transportation improvement program to expend its own funds for any component of a project within its jurisdiction that is included in an adopted state transportation improvement program, and for which the commission has not made an allocation. Limits these provisions to projects advanced for expenditure that are programmed in the current fiscal year.
	<b>STATUS:</b>	
	08/25/2005	In SENATE Committee on APPROPRIATIONS: Not heard.
	<b>Subject:</b>	Revenue/Bond, Transport
CA AB 426	<b>AUTHOR:</b>	Bogh (R)
	<b>TITLE:</b>	HOV Lanes
	<b>FISCAL COMMITTEE:</b>	yes
	<b>URGENCY CLAUSE:</b>	no
	<b>INTRODUCED:</b>	02/15/2005
	<b>LAST AMEND:</b>	04/20/2005
	<b>DISPOSITION:</b>	Pending
	<b>LOCATION:</b>	Assembly Appropriations Committee
	<b>SUMMARY:</b>	Requires the Department of Transportation to convert all high-occupancy vehicle (HOV) lanes on state highways in the County of Riverside that currently operate on a 24-hour basis into part-time HOV lanes that operate as mixed-flow lanes except during peak periods, subject to any required approvals of the federal government.
	<b>STATUS:</b>	
	05/25/2005	In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.
	<b>COMMENTARY:</b>	
	Support position extends only to Riverside County	
	<b>Position:</b>	SCAG-Sup 05/05/2005
	<b>Subject:</b>	Transport

CA AB 453	<b>AUTHOR:</b> Benoit (R) <b>TITLE:</b> Grade Separation Projects <b>FISCAL COMMITTEE:</b> yes <b>URGENCY CLAUSE:</b> no <b>INTRODUCED:</b> 02/15/2005 <b>LAST AMEND:</b> 08/16/2005 <b>DISPOSITION:</b> To Governor <b>LOCATION:</b> To Governor <b>SUMMARY:</b> Requires, in order for an allocation for construction costs, or for preconstruction costs for grade separation projects if not already allocated, to be made, that a local agency furnish evidence satisfactory to the Department of Transportation that all matters prerequisite to the award of a construction contract can be accomplished within two years of the allocation. <b>STATUS:</b> 09/02/2005 *****To GOVERNOR. <b>Subject:</b> Transport
CA AB 489	<b>AUTHOR:</b> Bermudez (D) <b>TITLE:</b> Ports: Transportation Network <b>FISCAL COMMITTEE:</b> no <b>URGENCY CLAUSE:</b> no <b>INTRODUCED:</b> 02/16/2005 <b>ENACTED:</b> 09/06/2005 <b>DISPOSITION:</b> Enacted <b>LOCATION:</b> Chaptered <b>CHAPTER:</b> 187 <b>SUMMARY:</b> Requires the Port of Los Angeles and the Port of Long Beach to provide reports to the Business, Transportation and Housing Agency, the Office of Goods Movement of the Department of Transportation and the Assembly and Senate committees on Transportation, relative to utilization of and congestion at the ports by January 1, 2006, and annually thereafter through 2008. <b>STATUS:</b> 09/06/2005 Signed by GOVERNOR. 09/06/2005 Chaptered by Secretary of State. Chapter No. 187 <b>Subject:</b> Transport
CA AB 509	<b>AUTHOR:</b> Richman (R) <b>TITLE:</b> Regional Transportation Agencies <b>INTRODUCED:</b> 02/16/2005 <b>DISPOSITION:</b> Pending <b>LOCATION:</b> Assembly Transportation Committee <b>SUMMARY:</b> Authorizes regional transportation agencies to enter into agreements to finance regional user-fee based transportation projects. <b>STATUS:</b> 02/28/2005 To ASSEMBLY Committee on TRANSPORTATION. <b>Subject:</b> Transport
CA AB 540	<b>AUTHOR:</b> Liu (D) <b>TITLE:</b> State Highway Projects <b>INTRODUCED:</b> 02/16/2005 <b>DISPOSITION:</b> Pending <b>LOCATION:</b> Assembly Appropriations Committee <b>SUMMARY:</b> Requires the Department of Transportation, prior to finalizing design and commencing construction on a state highway project, including a project not requiring preparation of full-scale environmental documents, to first meet and confer with the governing body of the affected city or county, and to thereafter hold at least one public meeting at a time and place that is convenient for the community. <b>STATUS:</b> 04/18/2005 In ASSEMBLY Committee on TRANSPORTATION: Heard, remains in Committee. <b>Subject:</b> Transport
CA AB 556	<b>AUTHOR:</b> Gordon (D)

**TITLE:** Airports: Noise Impacts  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/16/2005  
**LAST AMEND:** 08/17/2005  
**DISPOSITION:** Pending  
**LOCATION:** Senate Inactive File  
**SUMMARY:**

Requires Los Angeles World Airports, the department of the City of Los Angeles that owns and operates Los Angeles International Airport, upon the receipt of a notice of hearing on a noise impact variance, to mail notice of the hearing to landowners, residents, interested groups, local governments, and other public entities within the noise impact area. Prohibits the conditioning of noise mitigation measures upon the beneficiary of the measure granting or relinquishing any interest in real property.

**STATUS:**

08/18/2005 In SENATE. From third reading. To Inactive File.  
**Subject:** Transport

CA AB 697

**AUTHOR:** Oropeza (D)  
**TITLE:** Highway Users Tax Account: Appropriation of Funds  
**INTRODUCED:** 02/17/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Provides that all moneys in the Highway Users Tax Account in the Transportation Tax Fund from the prior fiscal year are on continuously appropriated and may be encumbered for certain purposes until the Budget Act is Enacted.

**STATUS:**

05/25/2005 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

**COMMENTARY:**

Amendment requested relates to facilitating the CPG reimbursement process.

**Position:** SCAG-Sup&Amend 04/15/2005  
**Subject:** Revenue/Bond, Transport

CA AB 850

**AUTHOR:** Canciamilla (D)  
**TITLE:** Toll Road Agreements  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/18/2005  
**LAST AMEND:** 05/03/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Relates to the Department of Transportation. Authorizes the department to enter into comprehensive development franchise agreements with public and private entities or consortia for specified types of transportation projects. Authorizes tolls to be collected after the termination of a franchise agreement period. Authorizes the department to construct and operate a high-occupancy vehicle and other preferential lanes as toll facilities.

**STATUS:**

05/25/2005 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

**Position:** SCAG-Sup 05/05/2005  
**Subject:** Transport

CA AB 1157

**AUTHOR:** Frommer (D)  
**TITLE:** State Highways: Performance Measures  
**INTRODUCED:** 02/22/2005  
**LAST AMEND:** 04/11/2005  
**DISPOSITION:** Pending  
**LOCATION:** Senate Transportation and Housing Committee  
**SUMMARY:**

Requires the Department of Transportation to develop specified performance measures to establish an evaluation and rating of the overall quality of the state highway system. Requires an annual report to the Legislature in that regard.

**STATUS:**  
06/09/2005  
**Subject:** To SENATE Committee on TRANSPORTATION AND HOUSING.  
Transport

CA AB 1197 **AUTHOR:** Gordon (D)  
**TITLE:** Aviation: Southern California Regional Aviation  
**INTRODUCED:** 02/22/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:**  
Establishes the Southern California Regional Aviation Commission to facilitate the regional distribution of aviation services to existing airports throughout southern California.  
**STATUS:**  
03/10/2005 To ASSEMBLY Committee on TRANSPORTATION.  
**Subject:** Transport

CA AB 1266 **AUTHOR:** Niello (R)  
**TITLE:** State Highways: Design-Sequencing Contracts  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2005  
**LAST AMEND:** 05/04/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**  
Authorizes the Department of Transportation to award design-sequencing contracts for the design and construction of not more than 4 additional transportation projects, to be selected by the Director of Transportation.  
**STATUS:**  
05/25/2005 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.  
**Position:** SCAG-Sup 04/15/2005  
**Subject:** Transport

CA AB 1276 **AUTHOR:** Oropeza (D)  
**TITLE:** Intermodal Corridors of Economic Significance  
**INTRODUCED:** 02/22/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:**  
Requires the Department of Transportation, in cooperation with regional transportation planning agencies, to establish a task force for the purposes of developing a strategy for avoiding congestion along the state's intermodal corridors of economic significance, and to develop and apply freight oriented performance measures on those corridors.  
**STATUS:**  
03/10/2005 To ASSEMBLY Committee on TRANSPORTATION.  
**Subject:** Transport

CA AB 1277 **AUTHOR:** Evans (D)  
**TITLE:** Highway Users Tax Account: State Highway Account  
**INTRODUCED:** 02/22/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:**  
Provides that all moneys in the Highway Users Tax Account in the Transportation Tax Fund and in the State Highway Account in the State Transportation Fund are continuously appropriated and may be encumbered in any year in which a Budget Act has not been enacted by July 1 for the fiscal year beginning on July 1.  
**STATUS:**  
03/10/2005 To ASSEMBLY Committee on TRANSPORTATION.  
**Subject:** Revenue/Bond, Transport

CA AB 1406 **AUTHOR:** Karnette (D)  
**TITLE:** Ports and Harbors: Freight Security Fee  
**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2005  
**LAST AMEND:** 08/30/2005  
**DISPOSITION:** To Governor  
**LOCATION:** Enrolled  
**SUMMARY:**

Requires the Office of Homeland Security to determine the amount of funding necessary to meet federal port security requirements based on estimates prepared by the United States Department of Homeland Security and Area Maritime Security Committees. Requires the office to develop recommendations of how to develop a sufficient stream of security funding. Requires the office to ensure that all port security funds are directed to port districts or facilities with the greatest need for security funding.

**STATUS:**  
 09/08/2005 Enrolled.  
**Position:** SCAG-Watch 05/05/2005  
**Subject:** Revenue/Bond, Transport

CA AB 1699 **AUTHOR:** Frommer (D)  
**TITLE:** Transportation: Highway Construction  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2005  
**LAST AMEND:** 05/27/2005  
**DISPOSITION:** Pending  
**LOCATION:** Senate Transportation and Housing Committee  
**SUMMARY:**

Authorizes transportation agencies administering local voter-approved transportation sales tax measures to use a specified design-build process for bidding of a maximum of 8 state highway construction projects with a certain total cost, with the projects to be selected by the Transportation Commission. Requires bidders to provide certain information. Requires design-build bidders to provide certain information in a questionnaire submitted to the transportation agency.

**STATUS:**  
 06/15/2005 To SENATE Committee on TRANSPORTATION AND HOUSING.  
**Subject:** Transport

CA AB 1714 **AUTHOR:** Plescia (R)  
**TITLE:** Toll Bridge Seismic Retrofit Program  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** yes  
**INTRODUCED:** 02/22/2005  
**LAST AMEND:** 05/03/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

States the intent of the Legislature to develop a funding solution for the Toll Bridge Seismic Retrofit Program.

**STATUS:**  
 05/25/2005 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.  
**Subject:** Revenue/Bond, Transport

CA ACA 4 **AUTHOR:** Plescia (R)  
**TITLE:** Transportation Investment Fund  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/06/2004  
**LAST AMEND:** 05/09/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:**

Proposes an amendment to the Constitution that relates to existing law which requires that sales taxes on motor vehicle fuel that are deposited into the General Fund be transferred to the Transportation Investment Fund. Deletes the provision authorizing the Governor and the Legislature to suspend the transfer of revenues from the General Fund to the Transportation



Investment Fund for a fiscal year during a fiscal emergency.

**STATUS:**

05/09/2005

From ASSEMBLY Committee on TRANSPORTATION with author's amendments.

05/09/2005

In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.

**Subject:**

Revenue/Bond, Transport

CA ACA 7

**AUTHOR:**

Nation (D)

**TITLE:**

Local Governmental Taxation

**FISCAL COMMITTEE:**

no

**URGENCY CLAUSE:**

no

**INTRODUCED:**

12/06/2004

**DISPOSITION:**

Pending

**LOCATION:**

Assembly Appropriations Committee

**SUMMARY:**

Proposes a Constitutional Amendment to change the 2/3 voter-approval requirement for special taxes to instead authorize a city, county, or special district to impose a special tax with the approval of 55% of its voters voting on the tax. Makes technical nonsubstantive changes to these provisions.

**STATUS:**

05/25/2005

In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

**Position:**

CSAC-Sup

**Subject:**

Revenue/Bond, Transport

CA ACA 9

**AUTHOR:**

Bogh (R)

**TITLE:**

Motor Vehicle Fuel Sales Tax Revenue

**INTRODUCED:**

01/24/2005

**DISPOSITION:**

Pending

**LOCATION:**

Assembly Transportation Committee

**SUMMARY:**

Changes the vote requirement to 4/5 of the membership of each house of the Legislature in order to enact a statute suspending in whole or in part the transfer of motor vehicle fuel sales tax revenue from the General Fund to the Transportation Investment Fund.

**STATUS:**

04/21/2005

To ASSEMBLY Committees on TRANSPORTATION and APPROPRIATION.

**Subject:**

Revenue/Bond, Transport

CA ACA 10

**AUTHOR:**

Nunez (D)

**TITLE:**

Transportation Investment Fund

**FISCAL COMMITTEE:**

no

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/15/2005

**DISPOSITION:**

Pending

**LOCATION:**

ASSEMBLY

**SUMMARY:**

Proposes a Constitutional amendment that makes a nonsubstantive change to provisions that require sales taxes on motor vehicle fuel that are deposited in the General Fund to be transferred to the Transportation Investment Fund for allocation to various transportation purposes and authorizes the transfer of such revenues to the Transportation Investment Fund to be suspended during a fiscal emergency.

**STATUS:**

02/15/2005

INTRODUCED.

**Subject:**

Revenue/Bond, Transport

CA ACA 11

**AUTHOR:**

Oropeza (D)

**TITLE:**

Transportation Funds: Loans

**INTRODUCED:**

02/16/2005

**DISPOSITION:**

Pending

**LOCATION:**

Assembly Transportation Committee

**SUMMARY:**

Proposes a constitutional amendment that requires interest to be paid on a loan of revenues subject to either Article XIX or XIX A if the loan is not repaid during the same fiscal year in which it was made. Deletes the provisions authorizing the transfer of revenues from the General Fund

to the Transportation Investment Fund to be suspended. Authorizes the Legislature to loan funds in the Transportation Investment Fund to the General Fund or any other state fund or account.

**STATUS:**

04/21/2005

To ASSEMBLY Committee on TRANSPORTATION.

**Subject:**

Revenue/Bond, Transport

CA ACR 23

**AUTHOR:**

Garcia (R)

**TITLE:**

Intrastate Trucking: Traffic Congestion

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/22/2005

**ADOPTED:**

08/17/2005

**DISPOSITION:**

Adopted

**LOCATION:**

Chaptered

**CHAPTER:**

90

**SUMMARY:**

Urges the regional transportation agencies to examine the flow of traffic to develop commercial trucking routes that would provide for the most direct movement through a city and a county in order to reduce the time that trucks are in city limits and county areas and the level of pollution that is created. Urges city and counties to incorporate this process as part of the revisions to their general and specific plans.

**STATUS:**

08/17/2005

Chaptered by Secretary of State.

08/17/2005

Resolution Chapter No. 90

**Subject:**

AirQuality, Transport

CA SB 45

**AUTHOR:**

Alarcon (D)

**TITLE:**

Intermodal Marine Terminals

**FISCAL COMMITTEE:**

no

**URGENCY CLAUSE:**

no

**INTRODUCED:**

01/05/2005

**LAST AMEND:**

08/18/2005

**DISPOSITION:**

To Governor

**LOCATION:**

To Governor

**SUMMARY:**

Prohibits an intermodal marine equipment provider or marine terminal operator from imposing per diem, detention charges, or demurrage charges on an intermodal motor carrier relative to certain transactions involving cargo shipped by intermodal transport. Prohibits an intermodal marine equipment provider from terminating, suspending or restricting equipment interchange rights of a motor carrier and from charging back, deducting or offsetting per diem, detention or per diem charges from the freight bill.

**STATUS:**

09/01/2005

\*\*\*\*\*To GOVERNOR.

**Subject:**

Transport

CA SB 172

**AUTHOR:**

Torlakson (D)

**TITLE:**

Bay Area State-Owned Toll Bridge: Financing

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/09/2005

**LAST AMEND:**

05/27/2005

**DISPOSITION:**

Pending

**LOCATION:**

Assembly Transportation Committee

**SUMMARY:**

Requires the seismic retrofit surcharge on bay area toll bridges to be paid into the Bay Area Toll Account. Requires the Bay Area Toll Authority to amend its agreement with the Department of Transportation to specify the respective duties of each agency with respect to the seismic retrofit and other bridge construction projects. Requires the authority and department to form a Toll Bridge Program Board of Control to review those projects.

**STATUS:**

06/13/2005

To ASSEMBLY Committee on TRANSPORTATION.

**Position:**

SCAG-Watch 05/05/2005

**Subject:**

Revenue/Bond, Transport

CA SB 275

**AUTHOR:**

Torlakson (D)

**TITLE:** Transportation Needs Assessment  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/16/2005  
**LAST AMEND:** 06/30/2005  
**DISPOSITION:** To Governor  
**LOCATION:** Enrolled  
**SUMMARY:**

Requires the Transportation Commission, working with the Department of Transportation and regional transportation planning agencies in cooperation with the League of California Cities and the California Association of Counties, to submit a 10-year needs assessment to the Legislature on the state's transportation system and to submit a needs assessment on a decennial basis thereafter.

**STATUS:**

09/09/2005 Enrolled.  
**Subject:** Transport

CA SB 371 **AUTHOR:** Torlakson (D)  
**TITLE:** Public Contracts: Design-Build: Transportation  
**INTRODUCED:** 02/17/2005  
**LAST AMEND:** 04/26/2005  
**DISPOSITION:** Pending  
**LOCATION:** Senate Appropriations Committee  
**SUMMARY:**

Authorizes, until January 1, 2011, certain state and local transportation entities to use a design-build process for bidding on highway construction projects. Establishes a procedure for submitting bids that includes a requirement that design-build entity bidders provide certain information in a questionnaire submitted to the transportation entity that is verified under oath. States the intent of the Legislature that a transportation entity implement a labor compliance program for such projects.

**STATUS:**

05/26/2005 In SENATE Committee on APPROPRIATIONS: Heard, remains in Committee.  
**Position:** SCAG-Sup 04/15/2005  
**Subject:** Transport

CA SB 427 **AUTHOR:** Hollingsworth (R)  
**TITLE:** California Environmental Quality Act: Exemption  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/17/2005  
**LAST AMEND:** 04/25/2005  
**DISPOSITION:** Pending  
**LOCATION:** Senate Environmental Quality Committee  
**SUMMARY:**

Exempts from California Environmental Quality Act (CEQA) environmental impact report requirements the expansion of an existing overpass, onramp or offramp that is built on an easement or right-of-way under the control of a state or local transportation agency, or a city, county, or city and county.

**STATUS:**

04/25/2005 From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.  
 04/25/2005 In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.  
 04/25/2005 In SENATE Committee on ENVIRONMENTAL QUALITY: Heard, remains in Committee.  
**Subject:** Transport

CA SB 519 **AUTHOR:** McClintock (R)  
**TITLE:** Exclusive Use or Preferential Use Highway Lanes  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/18/2005  
**LAST AMEND:** 04/07/2005  
**DISPOSITION:** Pending

**LOCATION:** Senate Appropriations Committee

**SUMMARY:**

Requests the University of California to conduct a study, in consultation with the Department of Transportation to cooperate with the university in conducting the study to provide the university requested information on the effective use of different types of highway lanes and to provide funding for the costs of the study.

**STATUS:**

05/26/2005 In SENATE Committee on APPROPRIATIONS: Heard, remains in Committee.

**Subject:** Transport

CA SB 561

**AUTHOR:** Runner G (R)

**TITLE:** Toll Road Agreements

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** yes

**INTRODUCED:** 02/18/2005

**LAST AMEND:** 05/24/2005

**DISPOSITION:** Pending

**LOCATION:** Senate Appropriations Committee

**SUMMARY:**

Authorizes the Department of Transportation to enter into comprehensive development franchise agreements with public and private entities or consortia for specified types of transportation projects, subject to certain requirements and conditions. Authorizes tolls to be collected after the termination of the franchise agreement period, subject to approval of the Transportation Commission. Requires such agreement to allow the department to open a competitive state facility in the same corridor.

**STATUS:**

05/24/2005 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

**Subject:** Transport

CA SB 680

**AUTHOR:** Simitian (D)

**TITLE:** Congestion Management and Transportation Improvements

**INTRODUCED:** 02/22/2005

**LAST AMEND:** 04/12/2005

**DISPOSITION:** To Governor

**LOCATION:** To enrollment

**SUMMARY:**

Authorizes the Santa Clara Valley Transportation Authority to impose an annual fee of up to \$5 on each motor vehicle registered within Santa Clara County for a program for the management of traffic congestion and for specified street, road, expressway, and transit purposes. Requires a 2/3 vote of the board for adoption as part of the resolution imposing the fee.

**STATUS:**

09/08/2005 In ASSEMBLY. Read third time. Passed ASSEMBLY. To enrollment.

**Subject:** Transport

CA SB 760

**AUTHOR:** Lowenthal (D)

**TITLE:** Ports: Congestion Relief: Security Enhancement

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/22/2005

**LAST AMEND:** 05/27/2005

**DISPOSITION:** Pending

**LOCATION:** Assembly Appropriations Committee

**SUMMARY:**

Imposes on each shipping container processed in the Port of Los Angeles or the Port of Long Beach a fee of \$30 per twenty-foot equivalent unit, payable by the marine terminal operator processing the container to the port where the marine terminal is located. Requires each port to retain 1/3 of the funds derived from imposition of the fee and transmit the remaining 2/3 in the amount of 1/2 due to the Port Congestion Relief Trust Fund and 1/2 to the South Coast Air Quality Management District.

**STATUS:**

06/27/2005 From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.

**Position:** SCAG-Watch 05/05/2005

	<b>Subject:</b>	Transport
CA SB 762	<b>AUTHOR:</b>	Lowenthal (D)
	<b>TITLE:</b>	Vehicular Sources: Intermodal Port Congestion
	<b>FISCAL COMMITTEE:</b>	yes
	<b>URGENCY CLAUSE:</b>	no
	<b>INTRODUCED:</b>	02/22/2005
	<b>LAST AMEND:</b>	05/27/2005
	<b>DISPOSITION:</b>	Pending
	<b>LOCATION:</b>	Assembly Transportation Committee
	<b>SUMMARY:</b>	Establishes the Los Angeles-Long Beach Area Regional Intermodal Port Congestion and Environmental Quality Commission and Oakland Area Regional Intermodal Port Congestion and Environmental Quality Commission. Requires these entities to grant to each motor carrier a port permit for authority to enter a specific port for pick up and delivery of intermodal freight for its truck fleet using specified criteria including engine emission standards. Permits regulations regarding port permits.
	<b>STATUS:</b>	
	06/20/2005	In ASSEMBLY Committee on TRANSPORTATION: Not heard.
	<b>Subject:</b>	Transport
CA SB 851	<b>AUTHOR:</b>	Murray (D)
	<b>TITLE:</b>	L.A. County Metropolitan Transportation Authority
	<b>FISCAL COMMITTEE:</b>	yes
	<b>URGENCY CLAUSE:</b>	no
	<b>INTRODUCED:</b>	02/22/2005
	<b>LAST AMEND:</b>	08/31/2005
	<b>DISPOSITION:</b>	To Governor
	<b>LOCATION:</b>	Enrolled
	<b>SUMMARY:</b>	Makes conforming changes relative to existing law that creates the Los Angeles County Metropolitan Transportation Authority. Establishes an alternative procedure for the Los Angeles County Metropolitan Transportation Authority to utilize in the procurement of goods and services. Repeals the procedures in existing law for purchases and procurement by the Southern California Rapid Transit Districts and the Los Angeles County Transportation Commission.
	<b>STATUS:</b>	
	09/09/2005	Enrolled.
	<b>Subject:</b>	Transport
CA SB 1020	<b>AUTHOR:</b>	Migden (D)
	<b>TITLE:</b>	County Sales and Use Taxes: Rate Increase
	<b>INTRODUCED:</b>	02/22/2005
	<b>DISPOSITION:</b>	Pending
	<b>LOCATION:</b>	Senate Revenue and Taxation Committee
	<b>SUMMARY:</b>	Authorizes a county or city and county to impose an additional 1/4 of 1% sales and use tax rate under the Bradley-Burns Law. Requires a county or city and county that imposes this additional rate to deposit all revenues derived therefrom, less specified administrative costs, into a local transportation fund. Requires a county or city and county that imposes this additional tax to comply with the applicable voter-approval requirements of a specified provision of the California Constitution.
	<b>STATUS:</b>	
	04/13/2005	In SENATE Committee on REVENUE AND TAXATION: To Suspense File.
	<b>Subject:</b>	Revenue/Bond, Transport
CA SB 1024	<b>AUTHOR:</b>	Perata (D)
	<b>TITLE:</b>	Public Works and Improvements: Bond Measure
	<b>FISCAL COMMITTEE:</b>	yes
	<b>URGENCY CLAUSE:</b>	yes
	<b>INTRODUCED:</b>	02/22/2005
	<b>LAST AMEND:</b>	08/29/2005
	<b>DISPOSITION:</b>	Pending
	<b>LOCATION:</b>	Senate Third Reading File
	<b>SUMMARY:</b>	Enacts the Safe Facilities, Improved Mobility, and Clean Air Bond Act of 2005 to authorize general

obligation bonds for the state transportation improvement program, levee improvements, passenger rail improvements, restoration of Proposition 42 funds, port infrastructure and security, certain trade corridors, emissions reduction projects, environmental enhancement projects, and transportation needs in cities and counties relative to housing and infill. Creates the Transit-Oriented Development Program.

**STATUS:**

08/30/2005

In SENATE. Read second time. To third reading.

**Position:**

SCAG-Watch 05/05/2005

**Subject:**

Revenue/Bond, Transport

CA SB 1026

**AUTHOR:**

Kuehl (D)

**TITLE:**

Highway Construction Contracts: Design-build Projects

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/22/2005

**LAST AMEND:**

09/08/2005

**DISPOSITION:**

Pending

**LOCATION:**

Senate Unfinished Business

**SUMMARY:**

Authorizes the Los Angeles County Metropolitan Transportation Authority to use a specified design-build procurement process for the construction of a high-occupancy vehicle lane in the County of Los Angeles designated in the National Corridor Infrastructure Improvement Program. Requires design-build entity bidders to provide certain information in a questionnaire submitted to the authority that is verified under oath.

**STATUS:**

09/08/2005

From ASSEMBLY Committee on APPROPRIATIONS: Do pass as amended.

09/08/2005

In ASSEMBLY. Read third time and amended. To third reading.

09/08/2005

In ASSEMBLY. Read third time. Passed ASSEMBLY. \*\*\*\*\*To SENATE for concurrence.

CA SCA 7

**AUTHOR:**

Torlakson (D)

**TITLE:**

Loans of Transportation Revenues and Funds

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/15/2005

**DISPOSITION:**

Pending

**LOCATION:**

Senate Appropriations Committee

**SUMMARY:**

Requires any loan of motor vehicles fuel and vehicle-related revenues or trust funds that is not repaid within the same fiscal year in which the loan was made, or by a date not more than 30 days after the enactment date of the Budget Bill for the subsequent fiscal year, to be repaid with interest at specified rate. Provides that a loan of these funds may also be made to other state funds or accounts under the conditions applicable to loans to the General Fund.

**STATUS:**

05/26/2005

In SENATE Committee on APPROPRIATIONS: Heard, remains in Committee.

**Subject:**

Revenue/Bond, Transport

CA SR 8

**AUTHOR:**

Torlakson (D)

**TITLE:**

Transportation and Housing

**INTRODUCED:**

01/11/2005

**DISPOSITION:**

Pending

**LOCATION:**

Senate Transportation and Housing Committee

**SUMMARY:**

Declares that the Senate places a high priority during the 2005-06 Regular Session on improving access to housing and reducing traffic congestion by promoting affordable housing, infill development, and other policies that allow people to live closer to their workplaces.

**STATUS:**

01/27/2005

Withdrawn from SENATE Committee on RULES.

01/27/2005

To SENATE Committee on TRANSPORTATION AND HOUSING.

**Subject:**

Housing, Transport

CA ACA 4 a

**AUTHOR:**

Keene (R)

**TITLE:**

State Finances

**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 01/20/2005  
**LAST AMEND:** 04/11/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Budget Process Committee  
**SUMMARY:**

Proposes a Constitutional amendment that requires, rather than authorizes, the Governor to issue a proclamation declaring a fiscal emergency, and specifies that the proclamation would be issued when the Governor determines either that General Fund revenues will decline below the estimate of General Fund revenues upon which the Budget Bill for that fiscal year was based, or that General Fund expenditures will increase above that estimate of General Fund revenues, or both, by a specified amount.

**STATUS:**

04/11/2005 From ASSEMBLY Committee on BUDGET PROCESS with author's amendments.

04/11/2005 In ASSEMBLY. Read second time and amended. Re-referred to ASSEMBLY Committee on BUDGET PROCESS.

**COMMENTARY:**

Prop 42 provisions only

**Position:** SCAG-Sup&Amend 05/05/2005

**Subject:** Revenue/Bond, Transport

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